



SAN FRANCISCO  
REGIONAL OFFICE

UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
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**DIVISION OF ENFORCEMENT**

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September 21, 2023

**VIA E-MAIL**

Alex Spiro, Esq.  
Quinn Emanuel Urquhart & Sullivan, LLP  
51 Madison Avenue, 22nd Floor  
New York, NY 10010

Re: In the Matter of Certain Purchases, Sales, and Disclosures of Twitter Shares (SF-4519)

Dear Mr. Spiro:

I write to follow up on my letter on September 14 and our communications on Friday and earlier this week relating to Mr. Musk's investigative testimony. On Friday, you indicated that if we offered to take Mr. Musk's testimony in Texas instead of San Francisco, Mr. Musk would proceed in good faith to agree to a workable date and appear for testimony.

On Tuesday of this week, I sent you an email with a list of potential October testimony dates in Texas. As I noted in that email, "Without waiving any of our objections or arguments in our September 14, 2023 letter, we are willing to travel to Texas to ensure a firm investigative testimony date for Mr. Musk." Yesterday, you would not tell us when you expected to have an answer on those dates, stating only that you would respond "well before dates mentioned." I responded yesterday that it should not be particularly time-consuming for you and your client to both check your schedules and respond, and it is not unreasonable for us to ask you to commit to a date by which you would have an answer on our proposed dates.

As an update, we are available to take Mr. Musk's testimony in the SEC Forth Worth office on the following dates:

October 6, 12, 18, 19, 30  
November 2, 3, 6-9, 13-17, 27-30

Please respond by 5 pm PT on Tuesday September 26 regarding Mr. Musk's availability on the above dates. That date is five days from today, and seven days after my email offering the October dates. If you do not respond by then, we must conclude that Mr. Musk is not engaging in

this process in good faith, and we will consider all available remedies, including a subpoena enforcement action.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Andrews", written in a cursive style.

Robin Andrews  
Senior Counsel